

ARNOLDO CASILLAS, ESQ., SBN 158519
CASILLAS & ASSOCIATES
2801 E. Spring Street, Suite 200
Long Beach, CA 90806
Tel: (562) 203-3030; Fax: (323) 725-0350
Email: acasillas@casillaslegal.com

DAVID DO, ESQ., SBN #262430
DO LAW INC.
901 West Civic Center Drive
Suite 200
Santa Ana, CA 92703
Ph: 888.989.1688
Fx: 844.989.6868
E-mail: david@dolawinc.com

Attorneys for Plaintiffs, ESTATE OF BRANDON
TRANBERG HOADLEY, by and through his
successors in interest Melanie Tranberg and
Mark Hoadley; MELANIE TRANBERG and MARK HOADLEY

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ESTATE OF BRANDON	)	CASE NO.:
TRANBERG HOADLEY, by and)	
through his successors in interest	)	COMPLAINT FOR DAMAGES
Melanie Tranberg and Mark Hoadley;	)	1. Failure to Protect from Harm,
MELANIE TRANBERG and MARK	)	Fourteenth Amendment Violation (42
HOADLEY,	)	U.S.C. § 1983)
	)	2. Failure to Provide Medical Care,
	)	Fourteenth Amendment Violation (42
Plaintiffs,	)	U.S.C. § 1983)
vs.	)	3. Municipal Liability for
	)	Unconstitutional Policies, Procedures,
	)	Practices and Customs (42 U.S.C. §
CITY OF GARDENA; CITY OF	)	1983)
GARDENA POLICE DEPARTMENT;	)	4. Interference with Familial Association,
COUNTY OF LOS ANGELES; LOS	)	Fourteenth Amendment Violation (42
ANGELES COUNTY SHERIFF'S	)	U.S.C. § 1983)
DEPARTMENT; DOES 1 through 10,	)	5. Wrongful Death/City of Gardena
	)	6. Wrongful Death/Los Angeles County
	)	DEMAND FOR JURY TRIAL
Defendants.)	

COMPLAINT FOR DAMAGES

COME NOW ESTATE OF BRANDON TRANBERG HOADLEY, by and through his successors in interest Melanie Tranberg and Mark Hoadley; MELANIE TRANBERG and MARK HOADLEY, and allege as follows:

I.

INTRODUCTION

1. This civil rights action seeks to establish the true and unequivocal facts surrounding the death of Brandon Tranberg Hoadley and to bring to public light the deliberate disregard for safety of persons housed at the City of Gardena jail carried out by the individual defendants in the present action.

2. This civil rights action further seeks to establish the violations of fundamental rights under the United States Constitution which resulted in the death of Brandon Tranberg Hoadley on May 19, 2021 and to address the profound loss suffered by his parents.

II.

JURISDICTION AND VENUE

3. This action is brought for the redress of alleged deprivations of constitutional rights as protected by 42 U.S.C. §§ 1983 and 1988, and the Fourteenth Amendment of the United States Constitution. Jurisdiction is founded on 28 U.S.C. §§ 1331, 1343, and 1367.

4. Venue is proper in this Court under 28 U.S.C. § 1391(b), because Defendants reside in, and all incidents, events, and occurrences giving rise to this action occurred in the County of Los Angeles, California.

III.

PENDANT CLAIMS

5. With respect to Plaintiffs' supplemental state claims, Plaintiffs request that this Court exercise supplemental jurisdiction over such claims as they arise from the same facts and circumstances which underlie the federal claims. Plaintiffs have

1 complied with the California Tort Claims Act requirements for the presentation of
2 claims for damages. With respect to these supplemental state claims, Plaintiffs
3 request that this Court exercise supplemental jurisdiction over such claims as they
4 arise from the same facts and circumstances which underlie the federal claims.

5 IV.

6 PARTIES

7 6. Decedent Brandon Tranberg Hoadley (hereinafter also “decedent”) was
8 an individual residing in the County of Los Angeles, in the State of California. The
9 claims made by the ESTATE OF BRANDON TRANBERG HOADLEY, are brought
10 by Melanie Tranberg and Mark Hoadley, the successors in interest to the Estate of
11 Brandon Tranberg Hoadley, pursuant to California Code of Civil Procedure § 377.32.

12 7. Plaintiff Melanie Tranberg, at all times relevant hereto, was a resident of
13 Los Angeles County. She was the natural and lawful mother of Brandon Tranberg
14 Hoadley.

15 8. Plaintiff Mark Hoadley, at all times relevant hereto, was a resident of
16 Los Angeles County. He was the natural and lawful father of Brandon Tranberg
17 Hoadley.

18 9. Defendant COUNTY OF LOS ANGELES (hereinafter also
19 “COUNTY”) is and was, at all relevant times hereto, a public entity, duly organized
20 and existing under and by virtue of the laws of the State of California, with the
21 capacity to sue and be sued. Defendant COUNTY is responsible for the actions,
22 omissions, policies, procedures, practices and customs of its various agents and
23 agencies.

24 10. Defendants DOE 1 through 5 are, and were at all relevant times
25 mentioned herein, were residents of the County of Los Angeles, and were employees
26 of the County of Los Angeles, employed as Sheriff’s Department deputies. At all
27 times relevant hereto, they were acting in the course and scope of said employment
28

1 and under color of law. Defendants DOES 1 through 5 are being sued in their
2 individual capacities.

3 11. Defendant City of Gardena is and was, at all relevant times hereto, a
4 public entity, duly organized and existing under and by virtue of the laws of the State
5 of California, with the capacity to sue and be sued. Defendant City of Gardena is
6 responsible for the actions, omissions, policies, procedures, practices and customs of
7 its various agents and agencies.

8 12. Defendant City of Gardena owns, operates, manages, directs and
9 controls Defendant City of Gardena Police Department, also a separate public entity,
10 which employs other Doe Defendants in this action. At all times relevant to the facts
11 alleged herein, Defendant City of Gardena was responsible for assuring that the
12 actions, policies, procedures, practices and customs of its employees, including
13 Gardena Police Department employees, complied with the laws and the Constitutions
14 of the United States and of the State of California. Defendant City of Gardena,
15 through its police department, is and was responsible for ensuring the safety of all
16 persons incarcerated in City of Gardena jail and providing them appropriate medical
17 and mental health treatment. Defendant City of Gardena operates, manages, directs
18 and controls the City of Gardena Police Department, which employs other Doe
19 Defendants in this action. Defendant City of Gardena owns, operates, manages,
20 directs and controls the City of Gardena jail and is and was responsible for ensuring
21 the safety of all persons incarcerated in the jail with and providing them appropriate
22 medical and mental health treatment.

23 13. At all times relevant to the facts alleged herein, Defendant City of
24 Gardena possessed the power and authority to adopt policies and prescribe rules,
25 regulations, and practices affecting all facets of the training, supervision, control,
26 employment, assignment and removal of individual members of the City of Gardena
27 Police Department, including those individuals charged with protecting the health and
28 safety of detainees and arrestees at the City of Gardena jail, including decedent
Brandon Tranberg Hoadley. At all times relevant to the facts alleged herein,

1 Defendant City of Gardena was responsible for assuring that the actions, omissions,
2 policies, procedures, practices and customs of its employees, including the employees
3 and agents that worked at its jail, complied with the laws and the Constitutions of the
4 United States and of the State of California.

5 14. Defendants DOE 6 through 10 are, and were at all relevant times
6 mentioned herein, were residents of the county of Los Angeles, and were employees
7 of defendant City of Gardena and its police department, employed as officers of the
8 Gardena police department. At all times relevant hereto, they were acting in the
9 course and scope of said employment and under color of law.

10 15. Defendants DOES 6 through 10 were assigned to work at the City of
11 Gardena jail and were responsible for carrying out City of Gardena Police
12 Department policies and procedures and for ensuring the safety of inmates at the City
13 of Gardena jail. Defendants DOES 6 through 10 were assigned to work as the police
14 and custodial staff of the City of Gardena jail. They were also responsible for the
15 proper housing and classification of City of Gardena jail inmates, including decedent
16 Brandon Tranberg Hoadley, and they were responsible for the safety of inmates
17 housed at the City of Gardena jail, the periodic cell checks of inmates, the
18 supervision of inmates, the provision of mental health care services to inmates, and,
19 in general, the protection of City of Gardena jail inmates, including decedent Brandon
20 Tranberg Hoadley. Said defendants were also responsible for the promulgation of the
21 policies, procedures, and allowance of the practices and customs, pursuant to which
22 the acts of the employees of City of Gardena jail, alleged herein, were committed.
23 Defendants DOES 6 through 10 are being sued in their individual capacities.

24 16. The true names of Defendants DOES 1 through 10, inclusive, are
25 unknown to Plaintiffs, who therefore sue these Defendants by such fictitious names.
26 Plaintiffs will seek leave to amend this Complaint to show the true names and
27 capacities of these Defendants when they have been ascertained. Each of the
28

1 fictitiously named Defendants is responsible in some manner for the conduct and
2 liabilities alleged herein.

3 17. Defendants DOES 6 through 10 were employees of Defendant City of
4 Gardena and are being sued in their individual capacities, and, at all times mentioned
5 herein said Defendants were acting in the course and scope of their employment with
6 Defendant City of Gardena which is liable under the doctrine of *respondeat superior*
7 pursuant to California Government Code § 815.2.

8 18. Each of the Defendants caused and is responsible for the unlawful
9 conduct and resulting by, inter alia, personally participating in the conduct, or acting
10 jointly and in concert with others who did so; by authorizing, acquiescing or failing to
11 take action to prevent the unlawful conduct; by promulgating policies and procedures
12 pursuant to which the unlawful conduct occurred; by failing and refusing, with
13 deliberate indifference to Plaintiffs' rights, to initiate and maintain adequate
14 supervision and/or training; and, by ratifying the unlawful conduct that occurred by
15 agents and peace officers under their direction and control. Whenever and wherever
16 reference is made in this Complaint to any act by a Defendant, such allegation and
17 reference shall also be deemed to mean the acts and failures to act of each Defendant
18 individually, jointly and severally. They are sued in their individual and official
19 capacities and in some manner are responsible for the acts and omissions alleged
20 herein. Plaintiffs will ask leave of this Court to amend this Complaint to allege such
21 name and responsibility when that information is ascertained. Each of the
22 Defendants is the agent of the other.

23 **V.**

24 **FACTS COMMON TO ALL CAUSES OF ACTION**

25 19. On May 19, 2021, Brandon Tranberg Hoadley was detained and arrested
26 by DOES 1 through 5, deputies from the Los Angeles County Sheriff's Department.

27 20. The deputies determined that Brandon Tranberg Hoadley should be
28 transported to the City of Gardena Police Department based on allegations of criminal

1 conduct. In investigating these allegations, the deputies learned that Brandon
2 Tranberg Hoadley was suicidal and under the care of a therapist or mental health
3 professional.

4 21. The deputies transported Brandon Tranberg Hoadley to the City of
5 Gardena Police Department jail in Gardena, California.

6 22. Defendants DOES 1 through 5, the transferring deputies, informed the
7 police officers and custody staff (DOES 6 through 10) at the jail that Brandon
8 Tranberg Hoadley was suicidal and that he was under the care of a therapist and/or a
9 mental health professional.

10 23. The City of Gardena police officers and jail custody (DOES 6 through
11 10) staff took custody of Brandon Tranberg Hoadley from the deputies.

12 24. While Brandon Tranberg Hoadley was in custody as a pre-conviction
13 detainee at the City of Gardena Police Department, and since his arrival at this
14 facility, custody and medical personnel learned that Brandon Tranberg Hoadley was
15 mentally ill and/or suicidal and unable to care for himself or to engage in self-harm.
16 Said defendants were responsible for his well-being and for his safety under the laws
17 and regulations of the State of California and the policies, procedures and rules of the
18 City of Gardena Police Department.

19 25. Defendants DOES 6 through 10, ignored or otherwise disregarded the
20 information about Brandon Tranberg Hoadley's suicidal state and that he was under
21 the care of a therapist or mental health specialist. They failed to meaningfully
22 interview him to determine if he was experiencing suicidal thoughts, was inclined to
23 harm himself or had a history of self-injurious behavior or had attempted suicide.

24 26. Defendants DOES 6 through 10 were required by the City of Gardena
25 Jail Manual to place Brandon Tranberg Hoadley on suicide watch, bring him to the
26 booking cell and keep him under visual observation until arrangements could be
27 made for transfer to County Jail.

1 27. Instead, they placed him in cell where he could not be properly
2 monitored, and they failed to visually monitor him. Thereafter, the custody staff
3 failed to take reasonable measures to care for, monitor and or otherwise care for
4 Brandon Tranberg Hoadley and allowed and/or negligently permitted him to commit
5 suicide in their custody.

6 28. The death of Brandon Tranberg Hoadley was also a result of the
7 following circumstances and conditions at the City of Gardena Police Department
8 Jail:

- 9 a. a failure to implement reasonable policies and procedures for the
10 detection of incoming inmates/persons who are suicidal or intend to engage in
11 self-harm,
- 12 b. a failure to train jail/custody staff and officers as to reasonable policies
13 and procedures for the detection of incoming inmates/persons who are suicidal
14 or intend to engage in self-harm,
- 15 c. a failure to train jail/custody staff and officers as to the proper and safe
16 monitoring of persons/inmates who are suicidal or intend to engage in self-
17 harm, and
- 18 d. a failure to comply with the safety check regulations established in the
19 California Code of Regulations, Title 15. Crime Prevention and Corrections
20 Division 1, Chapter 1, Subchapter 4.

21 29. After detecting that Brandon Tranberg Hoadley had attempted suicide,
22 the City of Gardena Police Department custody staff (DOES 6 through 10) and/or
23 their supervisors intentionally, recklessly and/or with deliberate indifference failed to
24 take reasonable action to summon timely medical care for Brandon Tranberg
25 Hoadley, despite knowing that he was in need of immediate medical care, in violation
26 of Government Code § 845.6.

27 30. Before the arrival of emergency medical personnel, Brandon Tranberg
28 Hoadley received negligent medical care and treatment by the City of Gardena Police

1 Department custody staff (DOES 6 through 10) and/or their supervisors that was
2 inadequate and below the standard of care constituting professional negligence under
3 California law.

4 31. At all times herein mentioned, defendant City of Gardena and its police
5 department were responsible for the hiring, training and supervision of their
6 employees, agents, servants, and independent contractors and defendant City of
7 Gardena is vicariously liable for the conduct of these employees under the applicable
8 sections of the California Government Code, including but not limited to sections
9 815.2 and 815.3.

10 32. The City of Gardena Police negligently investigated, hired, trained,
11 evaluated, re-trained, and retained the custody staff who was responsible for the
12 Brandon Tranberg Hoadley, and knew, or should have known, that they were not
13 capable nor competent to safely carry out the various duties and responsibilities
14 designated to them as custody staff.

15 33. Defendants City of Gardena, with deliberate indifference, gross
16 negligence, and reckless disregard to the safety, security, protection and
17 constitutional and statutory rights of Brandon Tranberg Hoadley and all persons
18 similarly situated, maintained, enforced, tolerated, permitted, acquiesced in, and
19 applied customs or practices of, among other things,

- 20 a. Selecting, retaining and assigning officers to their jails who exhibit
21 deliberate indifference and reckless disregard for the safety, security and
22 constitutional and statutory rights of detainees, arrestees and inmates
23 who exhibit vulnerabilities due to medical, mental health, and
24 disabilities;
- 25 b. Subjecting persons in their jails to isolation where visual monitoring is
26 required;
- 27 c. Failing to take adequate safety measures to protect detainees, arrestees
28 and inmates from unnecessary harm, including self-harm and suicide,

- d. Failing to adequately train, supervise, and control deputies in the duties, skills and arts of law enforcement;
- e. Failing to adequately discipline officers involved in misconduct; and
- f. Condoning and encouraging officers in the belief that they can violate the rights of persons such as the Plaintiffs in this action with impunity, and that such conduct will not adversely affect their opportunities for promotion and other employment benefits.

34. Defendants City of Gardena and DOES 6 through 10 acted with deliberate indifference and reckless disregard toward decedent Brandon Tranberg Hoadley's right to be protected and safe while housed at the Gardena City jail, and afforded due process of law by, among other things, the following acts:

- a. Placing decedent Brandon Tranberg Hoadley, a vulnerable detainee with identified mental health concerns, in an unmonitored cell and not watching and protecting him in compliance with Title 15;
- b. Placing decedent Brandon Tranberg Hoadley, a vulnerable detainee with identified mental health concerns, in a cell with other detainees, arrestees and inmates under circumstances which were conducive to violence and self-harm;
- c. Causing decedent Brandon Tranberg Hoadley, to remain in the cell which contained the means for him to commit self-harm, including his clothing, bedding, hanging points, and other means by which he could commit suicide; and
- d. Not observing or protecting decedent Brandon Tranberg Hoadley, or otherwise standing by and allowing him to remain unsupervised/unmonitored for an unreasonable period of time, resulting in Brandon Tranberg Hoadley committing suicide.

35. Plaintiffs are informed and believe, and on the basis of such information and belief alleges, that Defendants City of Gardena ordered, authorized, acquiesced

1 in, tolerated, or permitted other defendants herein to engage in the unlawful and
2 unconstitutional actions, policies, practices, and customs set forth in the preceding
3 paragraphs. Defendants' conduct as alleged herein constitutes a pattern of
4 constitutional violations based either on a deliberate plan by defendants or on
5 defendants' deliberate indifference, gross negligence, or reckless disregard to the
6 safety, security, and constitutional and statutory rights of Plaintiffs.

7 36. Plaintiffs are informed and believe that DOES 6 through 10 recklessly
8 and with deliberate indifference, failed to immediately and appropriately respond to
9 Brandon Tranberg Hoadley once they suspected that he had engaged in self-harm for
10 an extended period of time, causing decedent Brandon Tranberg Hoadley to suffer
11 serious injuries and death.

12 37. Plaintiffs are informed and believe that DOES 6 through 10,
13 intentionally, recklessly and with deliberate indifference, failed to take immediate
14 action to summon medical care for decedent Brandon Tranberg Hoadley, despite
15 knowing he was in need of immediate medical care.

16 38. Defendants have been on notice for years that their provision of medical
17 and mental health treatment to inmates is inadequate and results in needless harm and
18 death.

19 39. Welfare and safety checks by custody and mental health staff, when
20 done correctly, are an important part of protecting inmates in the City of Gardena
21 jails from harm, including from suicide. Defendants City of Gardena and the City of
22 Gardena Police Department knew that health and welfare checks conducted in units
23 were part of violence prevention programs and that such checks were necessary for
24 suicide prevention.

25 40. Prior to the death of Brandon Tranberg Hoadley, Defendant City of
26 Gardena was aware that there was a problem with custody staff actually performing
27 required welfare and safety checks, isolating suicidal inmates/detainees, failing to
28 perform adequate welfare and safety checks and/or failing to take adequate measures

1 to protect suicidal inmates/detainees.

2 41. Defendants' actions and omissions directly placed decedent Brandon
3 Tranberg Hoadley at substantial risk of the grievous and tragic harm that ultimately
4 occurred.

5 42. As a direct and proximate cause to Defendants' actions and omissions,
6 decedent Brandon Tranberg Hoadley died.

7 **VI.**

8 **SPECIAL ALTERNATE ALLEGATIONS REGARDING DEFENDANT**
9 **COUNTY OF LOS ANGELES AND DOES 1 THROUGH 5**

10 Plaintiffs alternatively allege as follows:

11 43. On May 19, 2021, Brandon Tranberg Hoadley was detained and/or
12 arrested by deputies, DOES 1 through 5, from the Los Angeles County Sheriff's
13 Department.

14 44. The deputies determined that Brandon Tranberg Hoadley should be
15 transported to the City of Gardena Police Department based on allegations of criminal
16 conduct. In investigating these allegations and before taking him into custody, the
17 deputies learned that Brandon Tranberg Hoadley was suicidal and under the care of a
18 therapist or mental health professional. They questioned Brandon Tranberg Hoadley
19 and confirmed that he was suicidal and that he was under the care of a therapist or
20 mental health specialist. Upon learning this, DOES 1 through 5, concluded that he
21 would require special monitoring to prevent harm to him. DOES 1 though 5, like all
22 LASD deputies, had undergone extensive training in the LASD custody division prior
23 to being assigned to a patrol assignment. In that training and in their custody
24 assignments, DOES 1 through 5, were taught by the LASD that suicidal inmates,
25 inmates with mental illness and inmates that are under the care of a mental health
26 professional require special observation while in custody to ensure that they do not
27 commit self-harm or suicide.

28 ///

1 51. By the actions and omissions described above, Defendants DOES 6
2 through 10 deprived Brandon Tranberg Hoadley of the right to have his safety and
3 life protected while in the custody of Defendants City of Gardena and the City of
4 Gardena Police Department as secured by the Fourteenth Amendment, by subjecting
5 him, or through their deliberate indifference, allowing others to subject him, to a
6 deprivation of these rights to be protected, proximately causing his death.

7 52. “[W]hen the State takes a person into its custody and holds him there
8 against his will, the Constitution imposes upon it a corresponding duty to assume
9 some responsibility for his safety and general well-being.” *DeShaney v. Winnebago*
10 *Cty. Dep’t of Soc. Servs.*, 489 U.S. 189, 199-200 (1989). Indeed, detainees in jails and
11 prisons are “restricted in their ability to fend for themselves” and are, therefore, far
12 more vulnerable than the general population. *See Hare v. City of Corinth*, 74 F.3d
13 633, 639 (5th Cir. 1996). It is long settled that “prison officials have a duty ... to
14 protect prisoners from violence at the hands of other prisoners” because corrections
15 officers have “stripped [the inmates] of virtually every means of self-protection and
16 foreclosed their access to outside aid.” *Farmer v. Brennan*, 511 U.S. 825, 833 (1994)
17 (internal quotation marks omitted). The risk of inmate-on-inmate violence in the
18 prison setting is well known. Custodial staff, including deputies, lieutenants,
19 sergeants, and correctional officers are not permitted to “bury their heads in the sand”
20 and ignore these obvious risks to the inmate populations that they have an affirmative
21 duty to protect. *See Walton v. Dawson*, 752 F.3d 1109, 1119 (8th Cir. 2014)

22 53. Defendants DOES 6 through 10, which included the custodial and
23 mental health staff of the jail operated by defendants City of Gardena and the City of
24 Gardena Police Department, knew or had reason to know that Brandon Tranberg
25 Hoadley was suicidal and prone to self-harm.

26 54. At the time Brandon Tranberg Hoadley was accepted into custody,
27 defendants City of Gardena, City of Gardena Police Department and DOES 6 through
28 10 had a duty to protect and monitor him.

1 55. By the actions and omissions described above, Defendants City of
2 Gardena, City of Gardena Police Department and DOES 6 through 10 violated 42
3 U.S.C. § 1983, depriving Brandon Tranberg Hoadley of the right to be safe and
4 secure while in custody, as well as the right to one's liberty in bodily integrity, as
5 secured by the Fourteenth Amendment.

6 56. The listed Defendants' failure to intervene in and prevent these
7 constitutional violations, when Defendants were in a position to so intervene when
8 such violations were occurring, also renders such Defendants liable for these
9 violations.

10 57. Defendants subjected Brandon Tranberg Hoadley to their wrongful
11 conduct, depriving Brandon Tranberg Hoadley and of the rights described herein,
12 knowingly, maliciously, and with conscious and reckless disregard for whether the
13 rights and safety of Brandon Tranberg Hoadley others would be violated by their acts
14 and/or omissions.

15 58. As a proximate result of the foregoing wrongful acts and/or omissions,
16 Brandon Tranberg Hoadley sustained injuries and damages and died as a result of
17 said injuries, as set forth above. Plaintiff ESTATE OF BRANDON TRANBERG
18 HOADLEY is therefore entitled to general and compensatory damages in an amount
19 to be proven at trial.

20 59. In committing the acts alleged above, Defendants DOES 6 through 10,
21 acted maliciously and/or were guilty of a wanton and reckless disregard for the rights,
22 safety, and emotional well-being of decedent Brandon Tranberg Hoadley, and by
23 reason thereof, Plaintiff ESTATE OF BRANDON TRANBERG HOADLEY is entitled
24 to punitive damages and penalties allowable under 42 U.S.C. § 1983, California Code
25 of Civil Procedure §§ 377.20 et seq, and other state and federal law against these
26 individual Defendants; no punitive damages are sought directly against Defendants
27 City of Gardena and City of Gardena Police Department.
28

1 60. Plaintiff is also entitled to reasonable costs and attorney's fees under 42
2 U.S.C. § 1988 and other applicable California codes and laws.

3 **SECOND CLAIM FOR RELIEF**

4 **Deliberate Indifference to Serious Medical and Mental Health Needs,**
5 **Violation of the Fourteenth Amendment to the United States Constitution**
6 **(42 U.S.C. § 1983)**

7 **As Against Defendants City of Gardena, City of Gardena Police**
8 **Department DOES 6 through 10**

9 61. Plaintiff ESTATE OF BRANDON TRANBERG HOADLEY, by and
10 through his successor in interest, MELANIE TRANBERG and MARK HOADLEY,
11 realleges and incorporates the foregoing paragraphs as if set forth herein.

12 62. Defendants DOES 6 through 10, which included the custodial staff at the
13 Gardena City jail, were on notice that their deficient policies, procedures, and
14 practices alleged herein created substantial risk of serious harm, including suicide, to
15 Brandon Tranberg Hoadley, a mentally ill inmate.

16 63. Each Defendant could have taken action to prevent unnecessary harm to
17 Brandon Tranberg Hoadley but refused or failed to do so.

18 64. Said defendants placed Brandon Tranberg Hoadley in a position of
19 vulnerability and danger, and upon information and belief, his symptoms, left
20 untreated, foreseeably manifested, causing Brandon Tranberg Hoadley in this setting
21 to commit suicide.

22 65. Defendants City of Gardena and City of Gardena Police Department
23 failed to properly train and supervise the custodial staff of the City of Gardena jail
24 regarding policies, procedures, and practices necessary for the protection of inmates
25 from harm, including self-harm and suicide.

26 66. Defendants City of Gardena's and City of Gardena Police Department's
27 failure to correct their policies, procedures, and practices, or to properly and
28

1 meaningfully implement them, despite notice of significant and dangerous problems
2 evidences deliberate indifference to the inmates in their care.

3 67. Defendants DOES 6 through 10 allowed Brandon Tranberg Hoadley to
4 be housed in a cell where it was known that Brandon Tranberg Hoadley could
5 commit self-harm or suicide through the use of his clothing, the bedding in the cell,
6 other materials in the cell, the hanging points in the cell and other appurtenances in
7 the cell, directly placed Brandon Tranberg Hoadley at a substantial risk of serious
8 harm, including self-harm and suicide.

9 68. As a proximate result of the foregoing wrongful acts and/or omissions,
10 Brandon Tranberg Hoadley sustained injuries and damages and death, as set forth
11 above. ESTATE OF BRANDON TRANBERG HOADLEY is therefore entitled to
12 general and compensatory damages in an amount to be proven at trial.

13 69. In committing the acts alleged above, Defendants DOES 6 through 10,
14 acted maliciously and/or were guilty of a wanton and reckless disregard for the rights,
15 safety, and emotional well-being of decedent Brandon Tranberg Hoadley, and by
16 reason thereof, Plaintiff ESTATE OF BRANDON TRANBERG HOADLEY is
17 entitled to punitive damages and penalties allowable under 42 U.S.C. § 1983,
18 California Code of Civil Procedure §§ 377.20 et seq, and other state and federal law
19 against these individual Defendants; no punitive damages are sought directly against
20 Defendants City of Gardena and City of Gardena Police Department.

21 70. Plaintiff is also entitled to reasonable costs and attorney's fees under 42
22 U.S.C. § 1988 and other applicable California codes and laws.

23 **THIRD CLAIM FOR RELIEF**

24 **Municipal Liability for Unconstitutional**
25 **Policies, Procedures, Practices and Customs**
26 **(42 U.S.C. § 1983)**

27 **As Against Defendants City of Gardena**
28 **and City of Gardena Police Department**

1 71. Plaintiff ESTATE OF BRANDON TRANBERG HOADLEY, by and
2 through his successor in interest, MELANIE TRANBERG and MARK HOADLEY,
3 realleges and incorporates the foregoing paragraphs as if set forth herein.

4 72. On and before May 19, 2021, and prior to the death of Brandon Tranberg
5 Hoadley, Defendants City of Gardena and City of Gardena Police Department, were
6 aware that Defendants DOES 6 through 10, which included the custodial staff of their
7 City jail had engaged in a custom and practice of callous and reckless disregard for
8 the health and safety of suicidal and mentally ill inmates and detainees as
9 summarized in the paragraphs above.

10 73. Defendants City of Gardena and City of Gardena Police Department,
11 acting with deliberate indifference to the rights and liberties of those persons who
12 would become inmates in their jail, and of Brandon Tranberg Hoadley, and of
13 persons in Brandon Tranberg Hoadley's class, situation and comparable position in
14 particular, knowingly maintained, ratified, enforced and applied the customs and
15 practices described herein above.

16 74. By reason of the aforementioned customs and practices, Brandon
17 Tranberg Hoadley was severely injured and subjected to pain and suffering, resulting
18 in his death, as alleged above in the First and Second Claims for Relief.

19 75. Defendants City of Gardena and City of Gardena Police Department,
20 with various other officials, whether named or unnamed, had either actual or
21 constructive knowledge of the deficient practices and customs alleged in the
22 paragraphs above. Despite having knowledge as stated above these Defendants
23 condoned, tolerated and through actions and inactions thereby ratified such customs
24 and practices. Said Defendants also acted with deliberate indifference to the
25 foreseeable effects and consequences of these policies with respect to the
26 constitutional rights of Brandon Tranberg Hoadley and other individuals similarly
27 situated.
28

1 76. The practices and customs implemented, ratified and condoned were
2 affirmatively linked to and were a significantly influential force behind the injuries to
3 and death of Brandon Tranberg Hoadley.

4 77. By reason of the aforementioned unconstitutional customs and practices,
5 Brandon Tranberg Hoadley was placed in an unmonitored cell with the means to
6 commit self-harm and suicide. Thereafter, after he was left in that cell without the
7 required monitoring, Brandon Tranberg Hoadley committed self-harm and acts of
8 suicide.

9 78. Defendants City of Gardena and City of Gardena Police Department
10 failed to ensure that Brandon Tranberg Hoadley was properly and appropriately
11 assessed and classified so as to ensure his safety.

12 79. The Defendants' actions and omissions and the classification and
13 housing of Brandon Tranberg Hoadley was contrary to generally accepted custodial
14 classification and housing practices, causing the death of Brandon Tranberg Hoadley.

15 80. Defendants City of Gardena and City of Gardena Police Department
16 knew or reasonably should have known that their custody staff were violating clearly
17 established law and/or City of Gardena Police Department policy and/or were acting
18 negligently pertaining to the classification and housing of inmates by, inter alia, being
19 deliberately indifferent to the record of past conduct of inmates before celling them
20 with other inmates, being deliberately indifferent to the mental health status of
21 inmates before celling them with other inmates, being deliberately indifferent to the
22 fact that an inmate has been designated a single-cell inmate, and/or and knew, should
23 have known, or had reason to know that their conduct would deprive the plaintiff of
24 his constitutional rights to, inter alia, life and liberty, and each defendant failed to act
25 to prevent custody staff from engaging in such conduct.

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FOURTH CLAIM FOR RELIEF

Interference with Familial Association,

Violation of Fourteenth Amendment to the United States Constitution

(42 U.S.C. § 1983)

As Against Defendants City of Gardena,

City of Gardena Police Department and DOES 6 through 10

81. Plaintiff MELANIE TRANBERG and MARK HOADLEY reallege and incorporate the foregoing paragraphs as if set forth herein.

82. This claim is brought pursuant to 42 U.S.C. §1983 for violation of Plaintiff MELANIE TRANBERG's and MARK HOADLEY's rights under the Fourteenth Amendment.

83. Pursuant to the Fourteenth Amendment to the United States Constitution, all persons the right to be free from unlawful state interference with their familial relations, and 42 U.S.C. § 1983 provides a private right of action for conduct which violates this right.

84. As a result of the misconduct of Defendants City of Gardena and City of Gardena Police Department and DOES 6 through 10, which included the custodial and staff of Defendants City of Gardena and City of Gardena Police Department's jail, and as a result of the unconstitutional customs and practices of Defendants City of Gardena and City of Gardena Police Department as alleged above, decedent Brandon Tranberg Hoadley suffered the violation of his civil rights and his resulting death, thus violating Plaintiff's rights to familial integrity and association and their rights to be free from government interference in their relationship with their son, Brandon Tranberg Hoadley.

85. The conduct of Defendants City of Gardena and City of Gardena Police Department and DOES 6 through 10 was the direct and proximate cause of the death of Brandon Tranberg Hoadley. As a result of the conduct of said defendants, Plaintiff

1 MELANIE TRANBERG and MARK HOADLEY lost their son Brandon Tranberg
2 Hoadley, as well as his love, affection, society and moral support.

3 86. In committing the acts alleged above, Defendants DOES 6 through 10,
4 acted maliciously and/or were guilty of a wanton and reckless disregard for the rights,
5 safety, and emotional well-being of Brandon Tranberg Hoadley, and by reason
6 thereof, the present plaintiffs are entitled to punitive/exemplary damages and
7 penalties against the individual Defendants.

8 **FIFTH CLAIM FOR RELIEF**

9 **Wrongful Death**

10 **As Against Defendants City of Gardena**

11 **and DOES 6 through 10**

12 87. Plaintiff MELANIE TRANBERG and MARK HOADLEY reallege and
13 incorporate the foregoing paragraphs as if set forth herein.

14 88. At all material times, Defendants DOES 6 to 10, owed Brandon
15 Tranberg Hoadley the duty to act with due care in the execution and enforcement of
16 any right, law, or legal obligation.

17 89. At all material times, DOES 6 through 10 owed Brandon Tranberg
18 Hoadley the duty to act with reasonable care.

19 90. These general duties of reasonable care and due care owed Brandon
20 Tranberg Hoadley by all Defendants include, but are not limited, to the following
21 specific obligations:

- 22 a. To provide safe and appropriate custody at the City of Gardena Police
23 Department jail for Brandon Tranberg Hoadley, including reasonable
24 classification, monitoring, and housing, and ensuring proper cell checks,
25 supervision, and monitoring;
- 26 b. To obey federal law, Supreme Court and Ninth Circuit precedent, and
27 Court Orders for the care and safety of inmates, such as Brandon
28 Tranberg Hoadley;

- 1 c. To use generally accepted prison, custodial, institutional, law
2 enforcement, and other inmate-safety-ensuring procedures that are
3 reasonable and appropriate for Brandon Tranberg Hoadley's status and
4 history as an inmate with mental health needs;
- 5 d. To refrain from abusing their authority granted to them by law; and,
- 6 e. To refrain from violating Brandon Tranberg Hoadley's rights guaranteed
7 by the United States and California Constitutions, as set forth above, and
8 as otherwise protected by law.

9 91. By the acts and omissions set forth more fully in the paragraphs above,
10 Defendants acted intentionally and/or negligently and breached their duty of due care
11 owed to Brandon Tranberg Hoadley, which foreseeably resulted in the suffering of
12 damages by Plaintiff MELANIE TRANBERG and MARK HOADLEY.

13 92. Defendants, through their acts and omissions, breached the
14 aforementioned duties owed to Brandon Tranberg Hoadley, and such breach
15 proximately led to the death of Brandon Tranberg Hoadley.

16 93. On information and belief, Defendants DOES 6 through 10 all of which
17 were custodial staff at the City of Gardena jail, acted with deliberate indifference
18 and/or negligence by failing to properly monitor Brandon Tranberg Hoadley, failing
19 to prevent Brandon Tranberg Hoadley from committing self-harm or suicide.

20 94. Defendants City of Gardena and City of Gardena Police Department had
21 a duty to hire, supervise, train, and retain employees and/or agents so that employees
22 and/or agents refrained from the conduct and/or omissions alleged herein.

23 95. Defendants City of Gardena and City of Gardena Police Department
24 breached this duty, causing the conduct alleged herein. Such breach constituted
25 negligent hiring, supervision, training, and retention under the laws of the State of
26 California.

27 96. As a direct and proximate result of the failure of Defendants City of
28 Gardena and City of Gardena Police Department and DOES 6 through 10 to carry out

1 their duty to hire, supervise, train, and retain employees and/or agents so that
 2 employees and/or agents refrained from the conduct and/or omissions alleged herein,
 3 Plaintiffs suffered injuries and damages as alleged herein.

4 97. As a direct and proximate result of the conduct of Defendants City of
 5 Gardena and City of Gardena Police Department and DOES 6 through 10 as alleged
 6 above, Brandon Tranberg Hoadley suffered serious injuries and lost his life.
 7 Plaintiffs MELANIE TRANBERG and MARK HOADLEY have been deprived of
 8 the life-long comfort, society, support and care of Brandon Tranberg Hoadley, and
 9 will continue to be so deprived for the remainder of her natural life.

10 98. At all times mentioned herein, Defendants DOES 6 through 10 were
 11 acting in the course and scope of their employment with Defendants City of Gardena
 12 which is vicariously liable under the doctrine of *respondeat superior* pursuant to
 13 California Government Code § 815.2.

14 **SIXTH CLAIM FOR RELIEF**

15 **Wrongful Death**

16 **As Against Defendants County of Los Angeles and DOES 1 through 5**

17 99. Plaintiff MELANIE TRANBERG and MARK HOADLEY reallege and
 18 incorporate the foregoing paragraphs, especially the facts alleged in section VI above,
 19 as if set forth herein.

20 100. At all material times, Defendants DOES 1 to 5, owed Brandon Tranberg
 21 Hoadley the duty to act with due care in the execution and enforcement of any right,
 22 law, or legal obligation.

23 101. At all material times, each Defendant owed Brandon Tranberg Hoadley
 24 the duty to act with reasonable care

25 102. Defendants DOES 1 through 5, learned that Brandon Tranberg Hoadley
 26 was suicidal and under the care of a mental health specialist. Further, they knew – or
 27 should have known – that he needed mental health care, that being placed in an
 28 unmonitored custody setting would cause him to engage in self-harm or commit

1 suicide, and that it was imperative to communicate Brandon Tranberg Hoadley's
2 mental state to custody staff at the City of Gardena jail so that they could properly
3 classify him and take reasonable and necessary measures to protect Brandon
4 Tranberg Hoadley.

5 103. Despite these duties and this information, DOES 1 through 5
6 intentionally or negligently failed to inform the custody staff at the City of Gardena
7 jail that Brandon Tranberg Hoadley was mentally ill, suicidal, prone to self-harm and
8 under the care of a therapist or mental health specialist.

9 104. Defendants DOES 1 through 5 knew, or should have known, that this
10 information was vital to the safe detention of Brandon Tranberg Hoadley. Because of
11 these omissions, the custody staff at the city of Gardena jail failed to properly
12 classify, monitor and attend to Brandon Tranberg Hoadley so as to prevent his death.

13 105. As a direct and proximate result of the acts, omissions and negligence of
14 the DOES 1 through 5, Brandon Tranberg Hoadley died, and his parents, the present
15 plaintiffs, were caused to suffer the loss of his love, affection, society and
16 companionship.

17 106. Defendant County of Los Angeles is vicariously liable for the conduct of
18 these employees under the applicable sections of the California Government Code,
19 including but not limited to sections 815.2 and 815.3.

20 107. Defendants County of Los Angeles and LASD also negligently
21 investigated, hired, trained, evaluated, re-trained, and retained the deputies who
22 detained/arrested and transported Brandon Tranberg Hoadley, and knew, or should
23 have known, that they were not capable nor competent to safely carry out the various
24 duties and responsibilities designated to them as LASD deputies

25 108. By the acts and omissions set forth more fully in the paragraphs above,
26 said defendants acted intentionally and/or negligently and breached their duty of due
27 care owed to Brandon Tranberg Hoadley, which foreseeably resulted in the suffering
28 of damages by Plaintiff MELANIE TRANBERG and MARK HOADLEY.

1 109. Said defendants, through their acts and omissions, breached the
2 aforementioned duties owed to Brandon Tranberg Hoadley, and such breach
3 proximately led to the death of Brandon Tranberg Hoadley.

4 110. On information and belief, Defendants DOES 1 through 5 all of which
5 were employees of defendant County of Los Angeles, acted with deliberate
6 indifference and/or negligence by failing to prevent Brandon Tranberg Hoadley from
7 committing self-harm or suicide.

8 111. Defendant County of Los Angeles had a duty to hire, supervise, train,
9 and retain employees and/or agents so that such employees and/or agents refrained
10 from the conduct and/or omissions alleged herein. Defendant County of Los Angeles
11 breached this duty, causing the conduct alleged herein. Such breach constituted
12 negligent hiring, supervision, training, and retention under the laws of the State of
13 California.

14 112. As a direct and proximate result of the failure of defendant County of
15 Los Angeles to carry out its duty to hire, supervise, train, and retain employees and/or
16 agents so that employees and/or agents refrained from the conduct and/or omissions
17 alleged herein, Plaintiffs suffered injuries and damages as alleged herein.

18 113. As a direct and proximate result of the conduct of defendant County of
19 Los Angeles and DOES 1 through 5 as alleged above, Brandon Tranberg Hoadley
20 suffered serious injuries and lost his life. Plaintiff MELANIE TRANBERG and
21 MARK HOADLEY have been deprived of the life-long comfort, society, support and
22 care of Brandon Tranberg Hoadley, and will continue to be so deprived for the
23 remainder of her natural life.

24 114. At all times mentioned herein, Defendants DOES 1 through 5 were
25 acting in the course and scope of their employment with defendant County of Los
26 Angeles which is vicariously liable under the doctrine of *respondeat superior*
27 pursuant to California Government Code § 815.2.
28

VIII.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for the following relief:

1. Compensatory damages in an amount according to proof, which is fair, just, and reasonable;
2. Punitive and exemplary damages under federal law and California law, in an amount according to proof and in an amount, which is fair, just, and reasonable against each individual Defendant, except the municipal Defendants;
3. All other damages, penalties, costs, interest, and attorneys' fees as allowed by 42 U.S.C. §§ 1983 and 1988; California Code of Civil Procedure §§ 377.20 *et seq.*, 377.60 *et seq.*, and 1021.5, and as otherwise may be allowed by California and/or federal law; and
4. For such other and further relief as the Court deems just and proper.

Dated: April 7, 2022

CASILLAS & ASSOCIATES

By: /s/ Arnoldo Casillas
ARNOLDO CASILLAS
Attorneys for Plaintiffs, ESTATE OF
BRANDON TRANBERG HOADLEY, by and
through his successors in interest Melanie
Tranberg and Mark Hoadley; MELANIE
TRANBERG and MARK HOADLEY

Dated: March 15, 2022

DO LAW INC.

By: /s/ David Do
DAVID DO
Attorneys for Plaintiffs, ESTATE OF
BRANDON TRANBERG HOADLEY, by and
through his successors in interest Melanie
Tranberg and Mark Hoadley; MELANIE
TRANBERG and MARK HOADLEY

DEMAND FOR JURY TRIAL

Plaintiffs ESTATE OF BRANDON TRANBERG HOADLEY, by and through his successor in interest Melanie Tranberg and Mark Hoadley; MELANIE TRANBERG and MARK HOADLEY, hereby respectfully demand a jury trial in this action, pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: April 7, 2022

CASILLAS & ASSOCIATES

By: /s/ Arnoldo Casillas

ARNOLDO CASILLAS

Attorneys for Plaintiffs, ESTATE OF BRANDON TRANBERG HOADLEY, by and through his successors in interest Melanie Tranberg and Mark Hoadley; MELANIE TRANBERG and MARK HOADLEY

Dated: March 15, 2022

DO LAW INC.

By: /s/ David Do

DAVID DO

Attorneys for Plaintiffs, ESTATE OF BRANDON TRANBERG HOADLEY, by and through his successors in interest Melanie Tranberg and Mark Hoadley; MELANIE TRANBERG and MARK HOADLEY